

Senate Engrossed House Bill

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 73

HOUSE BILL 2289

AN ACT

AMENDING SECTIONS 36-401, 36-422, 36-425 AND 36-2205, ARIZONA REVISED
STATUTES; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-401, Arizona Revised Statutes, is amended to
3 read:

4 36-401. Definitions; adult foster care

5 A. In this chapter, unless the context otherwise requires:

6 1. "Accredited health care institution" means a health care
7 institution, other than a hospital, that is currently accredited by a
8 nationally recognized accreditation organization.

9 2. "Accredited hospital" means a hospital currently accredited by a
10 nationally recognized commission on hospital accreditation.

11 3. "Adaptive services" means medical services provided on an
12 outpatient basis.

13 4. "Adult day health care facility" means a facility providing adult
14 day health services during a portion of a continuous twenty-four hour period
15 for compensation on a regular basis for five or more adults not related to
16 the proprietor.

17 5. "Adult day health services" means a program that provides planned
18 care supervision and activities, personal care, personal living skills
19 training, meals and health monitoring in a group setting during a portion of
20 a continuous twenty-four hour period. Adult day health services may also
21 include preventive, therapeutic and restorative health related services that
22 do not include behavioral health services.

23 6. "Adult foster care" means a residential setting which provides room
24 and board and adult foster care services for at least one and no more than
25 four adults who are participants in the Arizona long-term care system
26 pursuant to chapter 29, article 2 of this title and in which the sponsor or
27 the manager resides with the residents and integrates the residents who are
28 receiving adult foster care into that person's family.

29 7. "Adult foster care services" means supervision, assistance with
30 eating, bathing, toileting, dressing, self-medication and other routines of
31 daily living or services authorized by section 36-2939, subsection C and
32 rules adopted pursuant to that section.

33 8. "Ambulatory person" means any individual, including one who uses a
34 cane or other ambulatory support device, who is physically and mentally
35 capable under emergency conditions of finding a way to safety without
36 assistance.

37 9. "Assisted living center" means an assisted living facility that
38 provides resident rooms or residential units to eleven or more residents.

39 10. "Assisted living facility" means a residential care institution,
40 including adult foster care, that provides or contracts to provide
41 supervisory care services, personal care services or directed care services
42 on a continuing basis.

43 11. "Assisted living home" means an assisted living facility that
44 provides resident rooms to ten or fewer residents.

1 12. "Capital expenditure" means the acquisition by lease or purchase of
2 a capital asset in the nature of buildings, fixtures or durable equipment.

3 13. "Construction" means the building, erection, fabrication, or
4 installation of a health care institution.

5 14. "Continuous" means available at all times without cessation, break
6 or interruption.

7 15. "CONTROLLING PERSON" MEANS A PERSON WHO:

8 (a) THROUGH OWNERSHIP, HAS THE POWER TO VOTE AT LEAST TEN PER CENT OF
9 THE OUTSTANDING VOTING SECURITIES.

10 (b) IF THE APPLICANT OR LICENSEE IS A PARTNERSHIP, IS THE GENERAL
11 PARTNER OR A LIMITED PARTNER WHO HOLDS AT LEAST TEN PER CENT OF THE VOTING
12 RIGHTS OF THE PARTNERSHIP.

13 (c) IF THE APPLICANT OR LICENSEE IS A CORPORATION, AN ASSOCIATION OR A
14 LIMITED LIABILITY COMPANY, IS THE PRESIDENT, THE CHIEF EXECUTIVE OFFICER, THE
15 INCORPORATOR OR ANY PERSON WHO OWNS OR CONTROLS AT LEAST TEN PER CENT OF THE
16 VOTING SECURITIES. FOR THE PURPOSES OF THIS SUBDIVISION, CORPORATION DOES
17 NOT INCLUDE NONPROFIT CORPORATIONS.

18 (d) HOLDS A BENEFICIAL INTEREST IN TEN PER CENT OR MORE OF THE
19 LIABILITIES OF THE APPLICANT OR THE LICENSEE.

20 ~~15-~~ 16. "Department" means the department of health services.

21 ~~16-~~ 17. "Directed care services" means programs and services,
22 including personal care services, provided to persons who are incapable of
23 recognizing danger, summoning assistance, expressing need or making basic
24 care decisions.

25 ~~17-~~ 18. "Direction" means authoritative policy or procedural guidance
26 for the accomplishment of a function or activity.

27 ~~18-~~ 19. "Director" means the director of the department of health
28 services.

29 ~~19-~~ 20. "Facilities" means buildings used by a health care institution
30 for providing any of the types of services as defined in this chapter.

31 ~~20-~~ 21. "Freestanding urgent care center":

32 (a) Means an outpatient treatment center that, regardless of its
33 posted or advertised name, meets any of the following requirements:

34 (i) Is open twenty-four hours a day, excluding at its option weekends
35 or certain holidays, but is not licensed as a hospital.

36 (ii) Claims to provide unscheduled medical services not otherwise
37 routinely available in primary care physician offices.

38 (iii) By its posted or advertised name, gives the impression to the
39 public that it provides medical care for urgent, immediate or emergency
40 conditions.

41 (iv) Routinely provides ongoing unscheduled medical services for more
42 than eight consecutive hours for an individual patient.

43 (b) Does not include the following:

44 (i) A medical facility that is licensed under a hospital's license and
45 that uses the hospital's medical provider number.

1 (ii) A qualifying community health center pursuant to section
2 36-2907.06.

3 (iii) Any other health care institution licensed pursuant to this
4 chapter.

5 ~~21.~~ 22. "Governing authority" means the individual, agency, group or
6 corporation, appointed, elected or otherwise designated, in which the
7 ultimate responsibility and authority for the conduct of the health care
8 institution are vested.

9 ~~22.~~ 23. "Health care institution" means every place, institution,
10 building or agency, whether organized for profit or not, which provides
11 facilities with medical services, nursing services, health screening
12 services, other health-related services, supervisory care services, personal
13 care services or directed care services and includes home health agencies as
14 defined in section 36-151 and hospice service agencies.

15 ~~23.~~ 24. "Health-related services" means services, other than medical,
16 pertaining to general supervision, protective, preventive and personal care
17 services, supervisory care services or directed care services.

18 ~~24.~~ 25. "Health screening services" means the acquisition, analysis
19 and delivery of health-related data of individuals to aid in the
20 determination of the need for medical services.

21 ~~25.~~ 26. "Hospice" means a hospice service agency or the provision of
22 hospice services in an inpatient facility.

23 ~~26.~~ 27. "Hospice service" means a program of palliative and supportive
24 care for terminally ill persons and their families or caregivers.

25 ~~27.~~ 28. "Hospice service agency" means an agency or organization, or a
26 subdivision of that agency or organization, which is engaged in providing
27 hospice services at the place of residence of its clients.

28 ~~28.~~ 29. "Inpatient beds" or "resident beds" means accommodations with
29 supporting services, such as food, laundry and housekeeping, for patients or
30 residents who generally stay in excess of twenty-four hours.

31 ~~29.~~ 30. "Licensed capacity" means the total number of persons for whom
32 the health care institution is authorized by the department to provide
33 services as required pursuant to this chapter if the person is expected to
34 stay in the health care institution for more than twenty-four hours. For a
35 hospital, licensed capacity means only those beds specified on the hospital
36 license.

37 ~~30.~~ 31. "Medical services" means the services pertaining to medical
38 care that are performed at the direction of a physician on behalf of patients
39 by physicians, dentists, nurses and other professional and technical
40 personnel.

41 ~~31.~~ 32. "Modification" means the substantial improvement, enlargement,
42 reduction, alteration of or other change in a health care institution.

43 ~~32.~~ 33. "Nonproprietary institution" means any health care institution
44 organized and operated exclusively for charitable purposes, no part of the
45 net earnings of which inures to the benefit of any private shareholder or

1 individual, or operated by the state or any political subdivision of the
2 state.

3 ~~33.~~ 34. "Nursing care institution" means a health care institution
4 providing inpatient beds or resident beds and nursing services to persons who
5 need nursing services on a continuing basis but who do not require hospital
6 care or direct daily care from a physician.

7 ~~34.~~ 35. "Nursing services" means those services pertaining to the
8 curative, restorative and preventive aspects of nursing care that are
9 performed at the direction of a physician by or under the supervision of a
10 registered nurse licensed in this state.

11 ~~35.~~ 36. "Organized medical staff" means a formal organization of
12 physicians, and dentists where appropriate, with the delegated authority and
13 responsibility to maintain proper standards of medical care and to plan for
14 continued betterment of that care.

15 ~~36.~~ 37. "Outpatient surgical center" means a type of health care
16 institution with facilities and limited hospital services for the diagnosis
17 or treatment of patients by surgery whose recovery, in the concurring
18 opinions of the surgeon and the anesthesiologist, does not require inpatient
19 care in a hospital.

20 ~~37.~~ 38. "Personal care services" means assistance with activities of
21 daily living that can be performed by persons without professional skills or
22 professional training and includes the coordination or provision of
23 intermittent nursing services and the administration of medications and
24 treatments by a nurse who is licensed pursuant to title 32, chapter 15 or as
25 otherwise provided by law.

26 ~~38.~~ 39. "Physician" means any person licensed under title 32, chapter
27 13 or 17.

28 ~~39.~~ 40. "Residential care institution" means a health care institution
29 other than a hospital or a nursing care institution which provides resident
30 beds or residential units, supervisory care services, personal care services,
31 directed care services or health-related services for persons who do not need
32 inpatient nursing care.

33 ~~40.~~ 41. "Residential unit" means a private apartment, unless otherwise
34 requested by a resident, that includes a living and sleeping space, kitchen
35 area, private bathroom and storage area.

36 ~~41.~~ 42. "Respite care services" means services provided by a licensed
37 health care institution to persons otherwise cared for in foster homes and in
38 private homes to provide an interval of rest or relief of not more than
39 thirty days to operators of foster homes or to family members.

40 ~~42.~~ 43. "Substantial compliance" means that the nature or number of
41 violations revealed by any type of inspection or investigation of a licensed
42 health care institution does not pose a direct risk to the life, health or
43 safety of patients or residents.

44 ~~43.~~ 44. "Supervision" means direct overseeing and inspection of the
45 act of accomplishing a function or activity.

1 44. 45. "Supervisory care services" means general supervision,
2 including daily awareness of resident functioning and continuing needs, the
3 ability to intervene in a crisis and assistance in the self-administration of
4 prescribed medications.

5 45. 46. "Unscheduled medical services" means medically necessary
6 periodic health care services that are unanticipated or cannot reasonably be
7 anticipated and that require medical evaluation or treatment before the next
8 business day.

9 B. If there are fewer than four Arizona long-term care system
10 participants receiving adult foster care in an adult foster care home,
11 nonparticipating adults may receive other types of services authorized by law
12 to be provided in the adult foster care home as long as the number of adults
13 served, including the Arizona long-term care system participants, does not
14 exceed four.

15 C. Nursing care services may be provided by the adult foster care
16 licensee if such licensee is a nurse licensed pursuant to title 32, chapter
17 15 and the services are limited to those allowed pursuant to law. The
18 licensee shall keep a record of nursing services rendered.

19 Sec. 2. Section 36-422, Arizona Revised Statutes, is amended to read:

20 36-422. Application for license; notification of proposed
21 change in status; joint licenses; definitions

22 A. A person who wishes to be licensed under this chapter to operate a
23 health care institution shall file with the department an application on a
24 form prescribed, prepared and furnished by the department. The application
25 shall contain the following:

26 1. The name and location of the health care institution.

27 2. Whether it is to be operated as a proprietary or nonproprietary
28 institution.

29 3. The name of the governing authority, ~~and, if other than an~~
30 ~~individual, the names of the persons having its control~~. The applicant shall
31 be the governing authority having the operative ownership of, or the
32 governmental agency charged with the administration of, the health care
33 institution sought to be licensed.

34 4. THE NAME AND BUSINESS OR RESIDENTIAL ADDRESS OF EACH CONTROLLING
35 PERSON AND AN AFFIRMATION THAT NONE OF THE CONTROLLING PERSONS HAS BEEN
36 DENIED A LICENSE OR CERTIFICATE ISSUED BY A HEALTH PROFESSION REGULATORY
37 BOARD PURSUANT TO TITLE 32 OR ISSUED BY A STATE AGENCY PURSUANT TO CHAPTER 6,
38 ARTICLE 7 OR CHAPTER 17 OF THIS TITLE OR A LICENSE TO OPERATE A HEALTH CARE
39 INSTITUTION IN THIS STATE OR ANOTHER STATE OR HAS HAD A LICENSE OR
40 CERTIFICATE ISSUED BY A HEALTH PROFESSION REGULATORY BOARD PURSUANT TO TITLE
41 32 OR ISSUED BY A STATE AGENCY PURSUANT TO CHAPTER 6, ARTICLE 7 OR CHAPTER 17
42 OF THIS TITLE OR A LICENSE TO OPERATE A HEALTH CARE INSTITUTION REVOKED. IF
43 A CONTROLLING PERSON HAS BEEN DENIED A LICENSE OR CERTIFICATE ISSUED BY A
44 HEALTH PROFESSION REGULATORY BOARD PURSUANT TO TITLE 32 OR ISSUED BY A STATE
45 AGENCY PURSUANT TO CHAPTER 6, ARTICLE 7 OR CHAPTER 17 OF THIS TITLE OR A

1 LICENSE TO OPERATE A HEALTH CARE INSTITUTION IN THIS STATE OR ANOTHER STATE
2 OR HAS HAD A HEALTH CARE PROFESSIONAL LICENSE OR A LICENSE TO OPERATE A
3 HEALTH CARE INSTITUTION REVOKED, THE CONTROLLING PERSON SHALL INCLUDE IN THE
4 APPLICATION A COMPREHENSIVE DESCRIPTION OF THE CIRCUMSTANCES FOR THE DENIAL
5 OR THE REVOCATION.

6 ~~4.~~ 5. The class or subclass of health care institution to be
7 established or operated.

8 ~~5.~~ 6. The types and extent of the health care services to be
9 provided, including emergency services, community health services and
10 services to indigent patients.

11 ~~6.~~ 7. The name and qualifications of the chief administrative officer
12 implementing direction in that specific health care institution.

13 ~~7.~~ 8. Other pertinent information required by the department for the
14 proper administration of this chapter and department rules.

15 B. An application filed pursuant to this section shall be signed as
16 follows:

17 1. If the applicant is an individual, by the owner of the health care
18 institution.

19 2. If the applicant is a partnership or corporation, by two of the
20 partnership's or corporation's officers.

21 3. If the applicant is a governmental unit, by the head of the
22 governmental unit.

23 C. An application for licensure or relicensure shall be filed at least
24 sixty but not more than one hundred twenty days before the anticipated
25 operation or the expiration date of the current license. An application for
26 a substantial compliance survey submitted pursuant to section 36-425,
27 subsection C shall be filed at least thirty days prior to the date on which
28 the substantial compliance survey is requested.

29 D. If a current licensee intends to terminate the operation of a
30 licensed health care institution or if a change of ownership is planned
31 either during or at the expiration of the term of the license, the current
32 licensee shall notify the director in writing at least thirty days before the
33 termination of operation or change in ownership is to take place. The
34 current licensee is responsible for preventing any interruption of services
35 required to sustain the life, health and safety of the patients or residents.
36 A new owner shall not begin operating the health care institution until the
37 director issues a license.

38 E. A licensed health care institution for which operations have not
39 been terminated for more than thirty days may be relicensed pursuant to the
40 standards that were applicable under its most recent license.

41 F. If a person operates a hospital in a setting that includes
42 facilities of the hospital which are located separately from the main
43 hospital building, the department shall at the request of the applicant or
44 licensee issue a single group license to the hospital and its designated
45 facilities located within one-half mile of the main hospital building if all

1 of the facilities meet or exceed department licensure requirements for the
2 designated facilities. At the request of the applicant or licensee, the
3 department shall also issue a single group license that includes the hospital
4 and not more than five of its designated satellite facilities that are
5 located farther than one-half mile from the main hospital building if all of
6 these facilities meet or exceed applicable department licensure
7 requirements. Each facility included under a single group license is
8 subject to the department's licensure requirements that are applicable to
9 that category of facility. Subject to compliance with applicable licensure
10 or accreditation requirements the department shall reissue individual
11 licenses for the facility of a hospital located in separate buildings from
12 the main hospital building when requested by the hospital. This subsection
13 does not apply to nursing care institutions and residential care
14 institutions. The department is not limited in conducting inspections of an
15 accredited health care institution to ensure that the institution meets
16 department licensure requirements.

17 G. If a county with a population of more than one million persons
18 operates an accredited hospital that includes the hospital's accredited
19 facilities that are located separately from the main hospital building and
20 the accrediting body's standards as applied to all facilities meet or exceed
21 the department's licensure requirements, the department shall issue a single
22 license to the hospital and its facilities if requested to do so by the
23 hospital. If a hospital complies with applicable licensure or accreditation
24 requirements, the department shall reissue individual licenses for each
25 hospital facility that is located in a separate building from the main
26 hospital building if requested to do so by the hospital. This subsection
27 does not limit the department's duty to inspect a health care institution to
28 determine its compliance with department licensure standards. This
29 subsection does not apply to nursing care institutions and residential care
30 institutions.

31 H. AN APPLICANT OR LICENSEE MUST NOTIFY THE DEPARTMENT WITHIN THIRTY
32 DAYS AFTER ANY CHANGE REGARDING A CONTROLLING PERSON AND PROVIDE THE
33 INFORMATION AND AFFIRMATION REQUIRED PURSUANT TO SUBSECTION A, PARAGRAPH 4 OF
34 THIS SECTION.

35 ~~H.~~ I. This section does not limit the application of federal laws and
36 regulations to an applicant or licensee certified as a medicare or an Arizona
37 health care cost containment system provider under federal law.

38 ~~I.~~ J. For the purposes of this section:

39 1. "Accredited" means accredited by a nationally recognized
40 accreditation organization.

41 2. "Satellite facility" means an outpatient facility at which the
42 hospital provides outpatient medical services.

1 Sec. 3. Section 36-425, Arizona Revised Statutes, is amended to read:
2 36-425. Inspections; issuance of license; posting of
3 deficiencies; provisional license; denial of license

4 A. On receipt of a properly completed application for initial
5 licensure or relicensure, the director shall conduct an inspection of the
6 health care institution as prescribed by this chapter. If an application for
7 a license is submitted due to a planned change of ownership, the director
8 shall determine the need for an inspection of the health care institution.
9 Based on the results of the inspection, the director shall either deny the
10 license or issue a regular or provisional license. A license issued by the
11 department shall be conspicuously posted in the reception area of that
12 institution. If the health care institution is an accredited hospital, the
13 regular license is valid for the duration of the accreditation period.

14 B. The director shall issue a regular license if the director
15 determines that an applicant and the health care institution for which the
16 license is sought substantially comply with the requirements of this chapter
17 and rules adopted pursuant to this chapter and the applicant agrees to carry
18 out a plan acceptable to the director to eliminate any deficiencies. The
19 license is valid for up to two years from the date it is issued if the
20 facility, on expiration of the initial one-year license, has no deficiencies
21 at the time the department conducts the subsequent licensing
22 inspections. The director shall not require a health care institution that
23 was designated as a critical access hospital to make any modifications
24 required by this chapter or rules adopted pursuant to this chapter in order
25 to obtain an amended license with the same licensed capacity the health care
26 institution had before it was designated as a critical access hospital if all
27 of the following are true:

28 1. The health care institution has subsequently terminated its
29 critical access hospital designation.

30 2. The licensed capacity of the health care institution does not
31 exceed its licensed capacity prior to its designation as a critical access
32 hospital.

33 3. The health care institution remains in compliance with the
34 applicable codes and standards that were in effect at the time the facility
35 was originally licensed with the higher licensed capacity.

36 C. The director shall issue a provisional license for a period of not
37 more than one year if an inspection or investigation of a currently licensed
38 health care institution or a health care institution for which an applicant
39 is seeking initial licensure reveals that the institution is not in
40 substantial compliance with department licensure requirements and the
41 director believes that the immediate interests of the patients and the
42 general public are best served if the institution is given an opportunity to
43 correct deficiencies. The applicant or licensee shall agree to carry out a
44 plan to eliminate deficiencies that is acceptable to the director. The
45 director shall not issue consecutive provisional licenses to a single health

1 care institution. The director shall not issue a regular license to the
2 current licensee or a successor applicant before the expiration of the
3 provisional license unless the health care institution submits an application
4 for a substantial compliance survey and is found to be in substantial
5 compliance. The director may issue a regular license only if the director
6 determines that the institution is in substantial compliance with the
7 licensure requirements of the department and this chapter. This subsection
8 does not prevent the director from taking action to protect the safety of
9 patients pursuant to section 36-427.

10 D. Subject to the confidentiality requirements of articles 4 and 5 of
11 this chapter, title 12, chapter 13, article 7.1 and section 12-2235, the
12 licensee shall keep current department inspection reports at the health care
13 institution. Unless federal law requires otherwise, the licensee shall
14 conspicuously post a notice that identifies the location at that institution
15 where the inspection reports are available for review.

16 E. A health care institution shall immediately notify the department
17 in writing when there is a change of the chief administrative officer
18 specified in section 36-422, subsection A, paragraph 6- 7.

19 F. When the department issues an original regular license or an
20 original provisional license to a health care institution it shall notify the
21 owners and lessees of any agricultural land within one-fourth mile of the
22 health care institution. The health care institution shall provide the
23 department with the names and addresses of owners or lessees of agricultural
24 land within one-fourth mile of the proposed health care institution.

25 G. In addition to the grounds for denial of licensure prescribed
26 pursuant to subsection A of this section, the director may deny a license
27 because an applicant or anyone in a business relationship with the applicant,
28 including stockholders AND CONTROLLING PERSONS, has had a license to operate
29 a health care institution DENIED, REVOKED OR SUSPENDED or a professional
30 license or certificate ISSUED BY A HEALTH PROFESSION REGULATORY BOARD
31 PURSUANT TO TITLE 32 OR ISSUED BY A STATE AGENCY PURSUANT TO CHAPTER 6,
32 ARTICLE 7 OR CHAPTER 17 OF THIS TITLE denied, revoked or suspended or has a
33 licensing history of recent serious violations occurring in this state or in
34 another state ~~which affected the health or safety of patients, residents or~~
35 ~~the public~~ THAT POSED A DIRECT RISK TO THE LIFE, HEALTH OR SAFETY OF PATIENTS
36 OR RESIDENTS.

37 H. In addition to the requirements of this chapter, the director may
38 prescribe by rule other licensure requirements and may prescribe procedures
39 for conducting investigations into an applicant's character and
40 qualifications.

41 Sec. 4. Section 36-2205, Arizona Revised Statutes, is amended to read:
42 36-2205. Permitted treatment and medication; certification
43 requirement; protocols

44 A. The director, in consultation with the medical director of
45 emergency medical services, the emergency medical services council and the

1 medical direction commission, shall establish protocols, which may include
2 training criteria, governing the medical treatments, procedures, medications
3 and techniques which may be administered or performed by each class of
4 emergency medical technician. These protocols shall consider the differences
5 in treatments and procedures for regional, urban, rural and wilderness areas
6 and shall require that intermediate emergency medical technicians, emergency
7 paramedics and basic emergency medical technicians certified to perform
8 advanced procedures render these treatments, procedures, medications or
9 techniques only under the direction of a physician.

10 B. Certified emergency medical technicians, as defined in section
11 36-2201, shall complete training certified by the director on the nature of
12 sudden infant death syndrome in order to be certified by the director under
13 this section.

14 C. The protocols adopted by the director pursuant to this section are
15 exempt from the provisions of title 41, chapter 6.

16 D. Notwithstanding the provisions of subsection C of this section, a
17 person may petition the director, pursuant to section 41-1033, to amend a
18 protocol adopted by the director.

19 E. In consultation with the medical director of emergency medical
20 services, the emergency medical services council and the medical direction
21 commission, the director of the department of health services shall establish
22 protocols for emergency medical providers to refer, AND advise A PATIENT or
23 transport a patient by the most appropriate means to the most appropriate
24 provider of medical services based on the patient's condition. The protocols
25 shall consider the differences in treatments and procedures for regional,
26 urban, rural and wilderness areas and shall require that intermediate
27 emergency medical technicians, emergency paramedics and basic emergency
28 medical technicians certified to perform advanced procedures render these
29 treatments, procedures, medications or techniques only under the direction of
30 a physician.

31 F. The protocols established pursuant to subsection E of this section
32 shall include triage and treatment protocols that allow all classes of
33 emergency medical technicians responding to a person who has accessed 911, or
34 a similar public dispatch number, for a condition that does not pose an
35 immediate threat to life or limb to:

36 1. Refer, AND advise A PATIENT or transport a patient to the most
37 appropriate health care institution, as defined by IN section 36-401,
38 ~~subsection A, paragraph 22~~ based on the patient's condition, taking into
39 consideration factors including patient choice, the patient's health care
40 provider, specialized health care facilities and local protocols.

41 2. Provide a list of alternative sites available to deliver care.

APPROVED BY THE GOVERNOR APRIL 13, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2005.

Passed the House February 14, 2005,

Passed the Senate April 5, 2005,

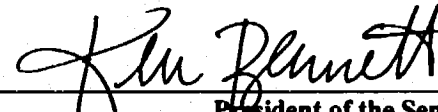
by the following vote: 59 Ayes,

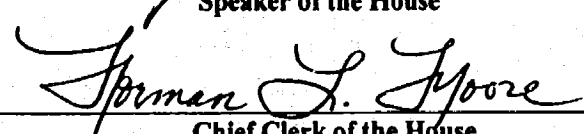
by the following vote: 29 Ayes,

1 Nays, 0 Not Voting

1 Nays, 0 Not Voting


Speaker of the House


President of the Senate


Chief Clerk of the House


Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

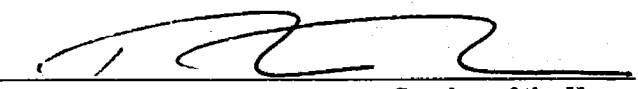
H.B. 2289

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 07, 2005

by the following vote: 52 Ayes,

1 Nays, 7 Not Voting


Speaker of the House
Pro Tempore
Herman L. Moore
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

7th day of April, 2005

at 4:23 o'clock P. M.

Jennifer Ybarra
Secretary to the Governor

Approved this 13 day of

April, 2005,

at 9:25 o'clock A. M.

J. N. M.
Governor of Arizona

H.B. 2289

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 13 day of April, 2005

at 11:04 o'clock A. M.

Janice K. Brewer
Secretary of State